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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. B65537)

In the Application of:

Payne et al.

Serial No.: 09/350,467

Filed: July 09, 1999

For: System and Method for Transmission
of Data

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Group Art Unit: 2154

Examiner: Caldwell, A.

BOX: DAC

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. §1.137(b)**

Pursuant to 37 CFR 1.137(b), Applicants hereby file their request for revival of the above-identified application which has been inadvertently and unintentionally abandoned on November 24, 2002 for failure to respond to an Office Action mailed April 24, 2002.

During the time that the office action response was pending, the previous owner of the present application was in bankruptcy and its assets were under control of a bankruptcy trustee. The present owner of this application obtained ownership of the application at a time when the application was not abandoned, but did not receive an identification of the attorneys handling the patent application from the bankruptcy trustee, nor information regarding the status of the application from the attorneys handling the application, until after the application became abandoned. Thus, the party having the right and authority to reply to

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avoid abandonment was not made aware of the pending abandonment of the application through no fault of its own, and acted as soon as possible after being made aware of the abandonment to revive the application. As such, the entire delay in filing the required reply from the due date for the reply was unintentional.

This petition to revive an unintentionally abandoned application is filed within one (1) year of the date on which the application became abandoned, said date being November 24, 2002.

A response to the outstanding office action, is attached hereto.

The petition fee as set forth in 37 C.F.R. §1.17(m) is enclosed herewith:

 X Small Entity Fee - \$ 640.00

 Large Entity Fee - \$ 1,280.00

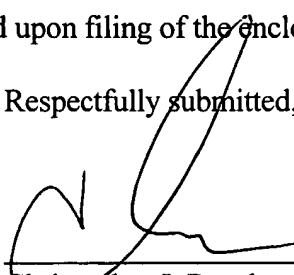
The Commissioner of Patents and Trademarks is hereby authorized to charge any fee deficiency or to credit any fee overpayment relating to this matter to Deposit Account No. 01-0657.

Applicant respectfully requests that this application be revived and be reinstated, and that patent issue proceedings be continued upon filing of the enclosed Request.

Respectfully submitted,

Date

12/12/02



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